

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA E. VARNER,	:	
Plaintiff	:	
	:	
v.	:	CIVIL ACTION
	:	NO: 1:CV 01-0725
COMMONWEALTH OF	:	
PENNSYLVANIA, NINTH JUDICIAL	:	
DISTRICT, CUMBERLAND	:	JURY TRIAL DEMANDED
COUNTY; CUMBERLAND	:	
COUNTY; S. GARETH GRAHAM,	:	Judge Yvette Kane
individually; and JOSEPH	:	Electronically Filed
OSENKARSKI, individually,	:	
Defendants	:	

**UNOPPOSED MOTION FOR 15-DAY EXTENSION TO  
RESPOND TO MOTIONS FOR SUMMARY JUDGMENT**

Plaintiff Barbara Varner, through her counsel Debra K. Wallet, Esquire, respectfully requests a fifteen-day extension to respond to the four motions for summary judgment filed by defendants and states the following in support of her motion:

1. On December 19, 2003, all four Defendants filed separate motions for summary judgment together with supporting briefs and four separate statements of undisputed material facts.

2. Plaintiff's responsive briefs and responses to the statements of undisputed material facts are due January 6, 2004.

3. Of the fixed fifteen-day response period plus the three additional days allotted for electronic service, six of these days are weekend days and four are federal holidays, including Christmas and New Year's Day.

4. Plaintiff's counsel is a sole practitioner and must attend to other legal matters as well as responding to these four comprehensive motions for summary judgment.

5. The statements of undisputed material facts filed by the four defendants encompass more than 645 separately numbered paragraphs.

6. As of December 30, 2003, only one of the defendants has filed the documents in support of these undisputed material facts.

7. Plaintiff's counsel will make every attempt to respond to two of the four motions on or before January 6, 2004, but she cannot respond to all four motions within the allotted response period.

8. Counsel for all four defendants have concurred in the plaintiff's request for an additional fifteen days to respond.

9. The requested short extension should not delay trial which has been set for April 5, 2004.

WHEREFORE, the Plaintiff respectfully requests a fifteen-day extension, until January 21, 2004, to respond to the four motions for summary judgment and four separate statements of material facts.

Respectfully submitted,

s/ Debra K. Wallet

Debra K. Wallet, Esquire

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Attorney for Barbara E. Varner

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Defendants	:	

**CERTIFICATE OF CONCURRENCE**

Counsel for all four Defendants: Taylor Williams, Esq. (Court Defendant), Paul Dellasega, Esq. (County Defendant), David MacMain, Esq., (Counsel for Defendant Graham) and Paul Lancaster Adams, Esq. (Counsel for Defendant Osenkarski) have specifically concurred in the request for an additional fifteen days to respond to the motions for summary judgment.

s/ Debra K. Wallet  
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Defendants	:	

**PROOF OF SERVICE**

I, Debra K. Wallet, Esquire, hereby certify that on December 31, 2003, I mailed by first class mail, postage prepaid, a true and correct copy of the attached **UNOPPOSED MOTION FOR 15-DAY EXTENSION TO RESPOND TO MOTIONS FOR SUMMARY JUDGMENT** addressed as follows:

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